

OPEN LETTER TO PLANNING BOARD

From Larry Cain
February 26, 2010

RE: OPPOSITION TO ZONING CHANGES ALLOWING MULTI-FAMILY HOUSING IN FAYVILLE. **(THESE CHANGES WILL ALSO AFFECT OTHER VILLAGES IN SOUTHBOROUGH)**

This is an open letter expressing opposition to the changes in zoning. I am in the process of buying a house in Fayville. Last week I received a copy of the proposed zoning changes from my realtor, who was very surprised by these changes and was obligated to notify me. After reading these materials, I became very concerned about my investment. I do not want my mortgage to become "underwater".

One of the e mails forwarded to me came from residents living in the "Town Center" area, who are also opposed to the zoning changes. While I support their position, my concerns are different. While they appear to be concerned more about the impact of a big expansion of the business district downtown, I am more concerned about the affect of multifamily housing on property values in Fayville. In case some of you do not have this other letter of opposition from Town Center residents, I am attaching it below, because some of our concerns overlap.

I have asked my Fayville neighbors their opinion, but found they were totally unaware of the zoning changes! In fact, they expressed surprise and concern. Therefore, I have decided to write this open letter, which seeks to make other residents aware of what is going on in Fayville, and to request their support in asking the Planning Board to withdraw the rezoning proposals.

My principal objection is the zoning changes will reduce neighborhood property values.

My house is in Fayville, in a Residence B zone, which is now restricted to single family uses. The change to zoning will affect a very large area not far from my house. This area will be included in a new "Overlay District", where new uses will be allowed. These new uses will include multifamily rental apartments, intended for lower incomes, built on smaller lots at higher density. For example: apartment buildings 3 stories high, at a density of 8 units per acre.

Another concern is the zoning change is not limited to new construction on vacant land, but also allows demolitions or conversions of existing single family houses into multiple rentals. It seems obvious that this will reduce the value of all houses within the Overlay District, as well as houses nearby. Thankfully my house is outside the Overlay District, but I still think my investment will be affected. The property values in the entire neighborhood will decline as it gradually changes from a single family area into a multifamily area.

The wording of the rezoning (below) states that the purpose is to implement the Master Plan. However, my realtor tells me that Town Meeting never voted to adopt this Plan, and few residents have seen it. Therefore, I have taken the trouble to read this Plan, in an attempt to understand what is driving these zoning changes.

What stands out from reading the Master Plan is that the proposed changes to zoning do not follow what the Plan recommends. This same issue is mentioned in the opposition letter from the residents living in

the Town Center Village. I found these residents are correct. One way to make this more clear is to quote directly from the Plan, with page numbers.

The Plan suggests that multifamily housing be considered inside the Village Business zones, but not in the surrounding Village residential areas located outside the business zone. In contrast, the rezoning allows multifamily rentals in the residential areas OUTSIDE the Business zone. This contradicts the Plan recommendations. For proof of this, read the direct quotations below, specifically pages 214, 215.

Also, nowhere in the Master Plan could I find any mention of an “Overlay” zone covering all the villages.

Also, the Plan recommends that any multifamily housing be kept “small” and be limited to 2 stories, so that it “preserves” the existing Village character. This makes sense, as I cannot find any 3 storey buildings in Fayville. The Village Hall is 2 stories, as is most of the existing housing “downtown” (such as the senior housing complex on Boston Rd). However, the proposed rezoning will allow large buildings, with 6 rental units per building, and 3 stories high. This is another violation of the Plan recommendations. Proof? Read the quote below on page 33.

The following quotations from the Master Plan can be contrasted against the new zoning proposals.

QUOTATIONS FROM MASTER PLAN - CONCERNING “VILLAGES”.

Page 3. “The Vision of this Master Plan is to preserve Southborough’s classic rural New England character and charm ...safeguarding its unique identity.”

Page 4. “Establish stewardship and preservation of the unique identity of Southborough’s neighborhoods and villages...”

Page 33. “Allow SMALL multi-family dwellings in the BUSINESS village District...”

Page 141. “Encourage architectural quality and the preservation of community character.”

Page 143. Consider “National Register Neighborhood Historic Districts” in the Villages.

Page 201. “One issue that arose consistently was that of historic preservation in the villages.”

Page 210. “Objectives for Fayville.

- Preserve older buildings and historic village feel.

- Create a village feel with buildings reflecting the local vernacular ...by design guidelines”.

Page 214-215. Goals and Recommendations for all Villages.

“To provide more foot traffic and encourage appropriate scale and design in the Business Village District: - Allow small multi-family dwellings in the Business Village District”.

ABOVE ARE QUOTES FROM THE MASTER PLAN.

BELOW ARE QUOTES FROM THE REZONING WHICH CREATES A NEW “OVERLAY DISTRICT” ALLOWING MULTIFAMILY

A. Purposes. The purposes of the Village Overlay District (VOD) are to:

- Implement the goals and policies of the Southborough Master Plan with respect to ...affordable housing.

B. Applicability. The Village Overlay District consists of four sub-districts as shown on the Zoning Map of the Town of Southborough. In the VOD, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede... .

C. The following uses are permitted in all sub-districts of the VOD.

- Single-family dwelling.
- Accessory uses: Accessory apartment, Home occupations...

D. The Planning Board may grant a special permit for the following uses:

- **Two-family dwelling.**
- **Townhouses or rowhouses, not exceeding five units per building.**
- **Multi-family dwellings, not exceeding six units per building.**

E. Dimensional and density requirements. The dimensional regulations of the underlying district shall apply in the VOD except ...(that) the Planning Board may grant a special permit to **reduce the minimum dimensions** in the Village Overlay District in accordance with the following table.

	Town Center	Fayville	Cordaville	Southville
Minimum lot area (sq. ft.)	10,000	15,000	15,000	15,000
Minimum frontage (ft.)	60	80	80	80
Minimum front setbacks	10	10	10	10

*These dimensional requirements **shall apply to single-family** and two-family dwellings.

◆ Supplemental regulations for multi-family dwellings:

- The minimum land area per unit shall be one unit per 5,000 square feet in the Town Center Sub-District and one unit per 7,500 square feet in all other sub-districts.
- The minimum lot frontage shall be eighty (80) feet.
- The minimum front setback shall be fifteen (15) feet
- The maximum height of a multi-family dwelling shall be three (3) stories and forty (40) feet.

(* 5,000 sf of land per unit is equal to a density of 8 .5 units an acre.)

(The existing min lot area is 20,000 sf for a single home, which could now change to 4 units.).

THE ABOVE QUOTES COME FROM THE PROPOSED REZONING.

I HOPE THIS LETTER MAKES FAYVILLE RESIDENTS MORE AWARE OF WHAT IS BEING PROPOSED, AND HOW IT COULD AFFECT THEIR PROPERTY VALUES. PLEASE COME TO THE PUBLIC REVIEW MEETING, SCHEDULED FOR **NEXT WEDNESDAY, MARCH 3RD, AT 7.30 PM, AT CORDAVILLE HALL** (senior center) ON RT 85.

Sources:

I apologize if this is unclear, but (as I said earlier) it is complicated. In any case, I MUST send this out now, as I am coming down with flu and need to get to the doctor before closing! Since I don't know anyone in town, I am sending this letter to the e-mail addresses on related messages, forwarded by my realtor.

The full text and maps are on the official town web site www.Southboroughtown.com. Look under "Latest news", then under "2008 Comprehensive zoning bylaw update". For Master Plan, click on "2008 Master Plan". For new zoning changes, click on "Town bylaw and planning regulations", then click on "Villages". The map for Fayville is also under "Villages". The only material not available from the town web site is the letter of opposition from residents of "Town Center Village", which I am attaching below.